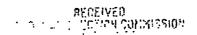
THIS IS THE <u>BEGINNING</u> OF ADMINISTRATIVE FINE CASE # <u>3665</u>





2019 APR -2 PM 1: 25

SENSITIVE

April 2, 2019

MEMORANDUM

TO:

The Commission

THROUGH:

Staff Director Al by MAH

FROM:

Patricia C. Orrock PCO

Chief Compliance Officer

Debbie Chacona DC **Assistant Staff Director** Reports Analysis Division

BY:

KDR Kristin D. Roser/Ben Holly BH

Reports Analysis Division Compliance Branch

SUBJECT:

Reason To Believe Recommendation – 2018 Year-End Report for the

Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file the 2018 Year-End Report in accordance with 52 U.S.C. § 30104(a). The Year-End Report was due on January 31, 2019.

The committees listed in the attached RTB Circulation Report either failed to file the report, filed the report no more than thirty (30) days after the due date (considered a late filed report), or filed the report more than thirty (30) days after the due date (considered a non-filed report). In accordance with the schedule of civil money penalties for reports at 11 C.F.R. 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

In order to determine the level of activity for unauthorized quarterly filers that filed a Year-End Report and were required to but failed to file the 30 Day Post-General Report, the Reports Analysis Division (RAD) used the following procedures and criteria:

• Every Year-End Report (YE) submitted by an unauthorized quarterly filer that covered the period from October 1, 2018 through December 31, 2018 (92 days) was reviewed for activity which would have required the filing of a 30 Day Post-General Report (30G). If our research indicated that a 30G was required, we utilized a three-step method to arrive at the activity on which to base the YE fine amount. First, we took the sum of all itemized receipts and disbursements that should have been disclosed on a YE that covered the period from November 27, 2018 through December 31, 2018 (35 days). Second, if the committee had any unitemized activity, a per diem level of this activity was calculated by multiplying the total amount of unitemized activity on the report by 38.04% (35 days (correct YE Filing Period)/92 days (submitted YE Filing Period)). Third, we took the sum of the amounts calculated in steps one and two to arrive at the level of activity assigned to the YE.

Recommendation

- 1. Find reason to believe that the political committees and their treasurers, in their official capacity, listed on the RTB Circulation Report violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
- 2. Send the appropriate letters.

Federal Election Commission Reason to Believe Circulation Report 2018 YEAR-END Not Election Sensitive 01/31/2019 H_S_P_UNAUTH

AF#	Committee	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	·LOA	RTB Penalty
	טו נ				!	L				
	 	AMERICAN ACADEMY OF		· · · ·	1		i i		r 	
3664	C00324780	EMERGENCY MEDICINE		WILLIAM T.	\$120,046	٥	2/6/2019	6	\$10,921	\$182
		POLITICAL ACTION COMMITTEE AAEM PAC		DURKIN, JR.						
3665	C00658757	AMERICANS SUPPORTING VETERANS PAC		MARK SLY	\$695,765	0	3/29/2019	57 (Not Filed*)	\$119,609	\$6,541
•	•			•	•	•			•	
Г		ANESTHESIA SERVICE		C. APRIL		1_	1 1		l	1 1
3687	C00216184	MEDICAL GROUP ADVOCACY		BOLING	S117,891	0	2/11/2019	11	\$3,423	\$101
	,			A morning	•					,

3677 C00516922	COMMITTEE TO ELECT RON VARASTEH	RON VARASTEH	MASHA MACURDA	\$504,325	0	Not Filed	\$56,036 (est)	\$3,925	l
			•				,		•

4/2/2019 11:29 AM

AF# Committee	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
3687 000670992	FRIENDS OF DAVID WERTIME	DAVID WERTIME	RICHARD WERTIME	\$250,085	٥	2/25/2019	25	\$2,488	\$185
								_	
3690 C00656744	GEORGE FRANKLIN FOR CONGRESS	GEORGE FRANKLIN	HEATHER RICKETTS	\$1,687,482	0		Not Filed	\$337,496 (est)	\$11,627

3707 C00861181 SAM DEEN FOR CONGRESS	SAM ALAN DEEN,	TERI LYNN PRUITT	\$159,926	0	Not Filed	\$31,985 (est)	\$1,230	
						,		•

ΔF#	Committee	Committee Name	Candidate Name	Treasurer	Threshold	DV	Receipt Date	Days Late	LOA	RTB Penalty
~~ ~	ID.	Gommingoo (tampo	Validadia (1881)	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	111110011010	١.,	Transapr Bate	24,0 22.0		[Kita Citaty]
	I <u></u>			•	ı	•			•	

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										•
3718 C00433672	TRANSYSTEMS CORPORATION PAC	l	PAUL J. MALIR	\$140,196	0	2/22/2019	22	\$12,591	\$278	1

The committee filed their report more than thirty (30) days after the due date; therefore, the report is considered not filed.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
Reason To Believe Recommendation - 2018 Year-End Report for the Administrative Fine Program:))	
AMERICAN ACADEMY OF EMERGENCY MEDICINE POLITICAL ACTION COMMITTEE AAEM PAC, and DR. WILLIAM T DURKIN, JR as)))	AF# 3664
treasurer; AMERICANS SUPPORTING VETERANS PAC, and SLY, MARK as treasurer;)	, AF# 3665
ANESTHESIA SERVICE MEDICAL GROUP ADVOCACY FUND, and C APRIL BOLING as treasurer;	·))	AF# 3667

COMMITTEE TO ELECT RON) AF# 3677 VARASTEH, and MACURDA, MASHA as) treasurer;)

FRIENDS OF DAVID WERTIME, and) AF# 3687 WERTIME, RICHARD as treasurer;)

GEORGE FRANKLIN FOR CONGRESS,) AF# 3690 and RICKETTS, HEATHER as treasurer;)

SAM DEEN FOR CONGRESS, and PRUITT, TERI LYNN as treasurer;

) AF# 3707

TRANSYSTEMS CORPORATION PAC,)	AF# 3718
and PAUL J MALIR as treasurer;)	

CERTIFICATION

I, Laura E. Sinram, Deputy Secretary of the Federal Election Commission, do hereby certify that on April 05, 2019 the Commission took the following actions on the Reason To Believe Recommendation - 2018 Year-End Report for the Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated April 02, 2019, on the following committees:

AF#3664 Decided by a vote of 4-0 to: (1) find reason to believe that AMERICAN ACADEMY OF EMERGENCY MEDICINE POLITICAL ACTION COMMITTEE AAEM PAC, and DR. WILLIAM T DURKIN, JR in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3665 Decided by a vote of 4-0 to: (1) find reason to believe that AMERICANS SUPPORTING VETERANS PAC, and SLY, MARK in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3667 Decided by a vote of 4-0 to: (1) find reason to believe that ANESTHESIA SERVICE MEDICAL GROUP ADVOCACY FUND, and C APRIL BOLING in her official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3677 Decided by a vote of 4-0 to: (1) find reason to believe that COMMITTEE TO ELECT RON VARASTEH, and MACURDA, MASHA in her official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate

letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3687 Decided by a vote of 4-0 to: (1) find reason to believe that FRIENDS OF DAVID WERTIME, and WERTIME, RICHARD in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3690 Decided by a vote of 4-0 to: (1) find reason to believe that GEORGE FRANKLIN FOR CONGRESS, and RICKETTS, HEATHER in her official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3707 Decided by a vote of 4-0 to: (1) find reason to believe that SAM DEEN FOR CONGRESS, and PRUITT, TERI LYNN in her official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3718 Decided by a vote of 4-0 to: (1) find reason to believe that TRANSYSTEMS CORPORATION PAC, and PAUL J MALIR in his official capacity as treasurer violated 52 U.S.C. 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

Deputy Secretary of the Commission



April 8, 2019

Mark Sly, in official capacity as Treasurer Americans Supporting Veterans PAC 8100 Fort Smallwood Rd Baltimore, MD 21226

C00658757 AF#: 3665

Dear Mr. Sly:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a Year-End Report of Receipts and Disbursements every calendar year. This report, covering the period November 27, 2018 through December 31, 2018, shall be filed no later than January 31, 2019. 52 U.S.C. § 30104(a). Because records at the Federal Election Commission ("FEC") indicate that you did not file this report within thirty (30) days of the due date, the report is considered not filed for the purpose of calculating the civil money penalty. You should file this report if you have not already done so.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 52 U.S.C. § 30104(a). 52 U.S.C. § 30109(a)(4). On April 5, 2019, the FEC found that there is reason to believe ("RTB") that Americans Supporting Veterans PAC and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) by failing to file timely this report on or before January 31, 2019. Based on the FEC's schedules of civil money penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$6,541. Please see the attached copy of the Commission's administrative fine regulations at 11 CFR §§ 111.30-111.55. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See https://www.fec.gov/af/pay.shtml 11 CFR § 111.34. Your payment of \$6,541 is due within forty (40) days of the finding, or by May 15, 2019, and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive

Level of Activity: \$119,609

Number of Days Late: Not Filed (reports not filed within thirty (30) days of the due date are

considered not filed for the purpose of calculating the penalty)
Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response to the FEC's Office of Administrative Review, 1050 First Street, NE, Washington, DC 20002. Your response must include the AF# (found at the top of page 1 under your committee's identification number) and be received within forty (40) days of the Commission's RTB finding, or May 15, 2019. 11 CFR § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 CFR § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 CFR § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. Id. Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 CFR § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 CFR § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. District Court under 52 U.S.C. § 30109. 11 CFR § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Americans Supporting Veterans PAC and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 et seq. The FEC may take any and all appropriate

action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 CFR § 111.51(a)(2).

3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the calculated civil money penalty, follow the payment instructions on page 4 of this letter. Upon receipt of your payment, the FEC will send you a final determination letter.

NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS

4. Partial Payments

If you make a payment in an amount less than the calculated civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assesses upon making a final determination.

5. Settlement Offers

Any offer to settle or compromise a debt owed to the Commission, including a payment in an amount less than the calculated civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assesses upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 52 U.S.C. § 30109(a)(2). Unless you notify the FEC in writing that you wish the matter to be made public, it will remain confidential in accordance with 52 U.S.C. § 30109(a)(4)(B) and 30109(a)(12)(A) until it is placed on the public record at the conclusion of this matter in accordance with 11 CFR § 111.42.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at https://www.fec.gov/af/pay.shtml If you have questions regarding the payment of the calculated civil money penalty, please contact Ben Holly in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1158) or (202) 694-1158.

On behalf of the Commission,

Ellen L. Weintrand

Ellen L. Weintraub

Chair

ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at RTB is \$6,541 for the 2018 Year-End Report.

You may remit payment by ACH withdrawal from your bank account, or by debit or credit card through Pay.gov, the federal government's secure portal for online collections. Visit www.fec.gov/af/pay.shtml to be directed to Pay.gov's Administrative Fine Program Payment form.

This penalty may also be paid by check or money order, made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission P.O. Box 979058 St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please send to:

U.S. Bank - Government Lockbox FEC #979058 1005 Convention Plaza Attn: Government Lockbox, SL-MO-C2GL St. Louis, MO 63101

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Americans Supporting Veterans PAC

FEC ID#: C00658757

AF#: 3665

PAYMENT DUE DATE: May 15, 2019

PAYMENT AMOUNT DUE: \$6,541

Americans Supporting Veterans PAC Honoring Our Veterans through Action

April 22, 2019

Office of Administrative Review Feral Election Commission 1050 First Street, NE Washington, DC 20463

RE: Americans Supporting Veterans Notice C00658757 - AF#: 3624 and AF#3665

To Whom it may concern:

I am writing to request an abatement of penalties in the amount of \$3,063 (Notice C00658757 -AF#: 3624) and \$6,541 (Notice C00658757 - AF#3665) as assessed in the enclosed notice that is dated April 8 2019.

The reports that were not properly filed are Year-End Report of Receipts and Disbursements for the 2018 calendar year and 30 Day Post-General Report of Receipts and Disbursements for the period covering October 1, 2018- November 26, 2018. The reason that these reports were not properly filed in time was due to our lack of inexperience in this business structure. We were unaware that we needed assistance from an outside vendor. In an immediate effort to rectify this situation and ensure proper management for all future reporting we have retained a PAC treasury service that will be guiding us moving forward (MorganMeredith.com).

areadala destala J^e nelecula di 20 Please accept my petition for abatement of penalties owed for reasonable cause. If you have any questions or need any additional information, you can reach me at info@americanssupportingvets.org. We sent a payment that covers the penalties we owe for AF#3624 in the amount of \$3063 today.

Sincerely.

1909252226

Alexander Fakeri

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May 23, 2019

REVIEWING OFFICER RECOMMENDATION OFFICE OF ADMINISTRATIVE REVIEW ("OAR")

AF# 3624 and AF# 3665 – Americans Supporting Veterans PAC and Mark Sly, in his official capacity as Treasurer (C00658757)

Summary of Recommendation

Make a final determination in AF# 3624 that the respondents violated 52 U.S.C. § 30104(a) and assess a civil money penalty of \$3,063.

Make a final determination in AF# 3665 that the respondents violated 52 U.S.C. § 30104(a) and assess a civil money penalty of \$6,541.

Reason-to-Believe Background

The 2018 Post-General Report was due on December 6, 2018. The respondents filed the report on December 23, 2018, 17 days late. The report is not election sensitive and was filed within 30 days of the due date; therefore, the report is considered late. 11 C.F.R. §§ 111.43(d)(1) and (e)(1).

On March 21, 2019, the Commission found reason to believe ("RTB") that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2018 Post-General Report and made a preliminary determination that the civil money penalty was \$3,063 based on the schedule of penalties at 11 C.F.R. § 111.43. A letter was mailed to the respondents' address of record from the Reports Analysis Division ("RAD") on March 21, 2019 to notify them of the Commission's RTB finding and civil money penalty.

The 2018 Year-End Report was due on January 31, 2019. The respondents filed the report on March 29, 2019, 57 days late. The report is not election sensitive and was not filed within 30 days of the due date; therefore, the report is considered not filed. 11 C.F.R. §§ 111.43(d)(1) and (e)(1).

On April 5, 2019, the Commission found reason to believe ("RTB") that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2018 Year-End Report and made a preliminary determination that the civil money penalty was \$6,541 based on the schedule of penalties at 11 C.F.R. § 111.43. A letter was mailed to the respondents' address of record from

the Reports Analysis Division ("RAD") on April 8, 2019 to notify them of the Commission's RTB finding and civil money penalty.

Legal Requirements

The Federal Election Campaign Act ("Act") states that the treasurer of a committee not authorized by a candidate shall file a post-general report covering through the 20th day after the election no later than 30 days after the election. The committee shall also file a report for the quarter ending December 31 no later than January 31 of the following calendar year. 52 U.S.C. § 30104(a) and 11 C.F.R. § 104.5(c)(1). Reports electronically filed must be received and validated at or before 11:59 pm Eastern Standard/Daylight Time on the filing deadline to be timely filed. 11 C.F.R. §§ 100.19(c) and 104.5(e). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

Summary of Respondents' Challenge

On April 29, 2019, the Commission received the written response ("challenge") from the respondents requesting abatement of both penalties. The Committee states the reports were not timely filed due to their "...inexperience in this business structure." To remedy their situation and ensure proper reporting in the future, they have retained a consultant.

Analysis

Commission records indicate the Committee was notified of their 2018 Post-General reporting requirement on multiple occasions prior to the filing deadline. On November 8, 2018, the Commission's Information Division sent the 2018 General Election Prior Notice to mark@mojo.biz, the email address listed on the Committee's Statement of Organization. The notice included the filing schedule for the remainder of 2018, including the 2018 Post-General and Year-End Report. On December 2, 2018, the Commission's Electronic Filing Office ("EFO") sent a reminder email regarding the 2018 Post-General Report to mark@mojo.biz and afakeri@mojo.biz. On December 7, 2018, the day following the filing deadline, EFO sent a late notification email to the same email addresses because the report had not yet been filed. On December 20, 2018, RAD sent the non-filer notification via email to mark@mojo.biz.

Commission records also indicate the Committee was notified of their 2018 Year-End reporting requirement on multiple occasions prior to the filing deadline. On December 21, 2018, the Commission's Information Division sent the 2018 Year-End Report Prior Notice to mark@mojo.biz, the email address listed on the Committee's Statement of Organization. On January 28, 2019, EFO sent a reminder email regarding the 2018 Year-End Report to mark@mojo.biz and afakeri@mojo.biz. On February 1, 2019, the day following the filing deadline, EFO sent a late notification email to the same email addresses because the report had not yet been filed. On February 19, 2019, RAD sent the non-filer notification via email to mark@mojo.biz.

Based on these notifications, the respondents should have been aware of the 2018 Post-General and Year-End filing requirements. Further, failure to know filing dates and inexperience of a Treasurer or committee staff are included at 11 C.F.R. § 111.35(d) as examples of a circumstance that will not be considered reasonably unforeseen and beyond the respondents' control. Therefore, the Reviewing Officer recommends that the Commission make a final determination in AF# 3624 and AF# 3665 that the respondents violated 52 U.S.C. § 30104(a) and assess civil money penalties of \$3,063 in AF# 3624 and \$6,541 in AF# 3665.

OAR Recommendations

- 1. Adopt the Reviewing Officer recommendation for AF# 3624 involving Americans Supporting Veterans PAC and Mark Sly, in his official capacity as Treasurer, in making the final determination;
- 2. Make a final determination in AF# 3624 that Americans Supporting Veterans PAC and Mark Sly, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$3,063 civil money penalty;
- 3. Adopt the Reviewing Officer recommendation for AF# 3665 involving Americans Supporting Veterans PAC and Mark Sly, in his official capacity as Treasurer, in making the final determination;
- 4. Make a final determination in AF# 3665 that Americans Supporting Veterans PAC and Mark Sly, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$6,541 civil money penalty; and
- 5. Send the appropriate letter.

Attachments

- Attachment 1 -
- Attachment 2 -
- Attachment 3 -
- Attachment 4 Declaration from RAD
- Attachment 5 Declaration from OAR

DECLARATION OF KRISTIN D. ROSER

I am the Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission
("Commission"). In my capacity as Chief of the Compliance Branch, I oversee the initial processing of the
Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a
witness, could and would testify competently to the following matters.

It is the practice of the Reports Analysis Division to document all calls to or from committees regarding a letter
they receive or any questions relating to the FECFile software or administrative fine regulations, including due
dates of reports and filing requirements.

3. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to Americans Supporting Veterans PAC:

A) Non-Filer Letter, dated December 20, 2018, referencing the 2018 30 Day Post-General Report (sent via electronic mail to: mark@mojo.biz);

B) Non-Filer Letter, dated February 19, 2019, referencing the 2018 Year-End Report (sent via electronic mail to: mark@mojo.biz);

C) Reason-to-Believe Letter, dated March 21, 2019, referencing the 2018 30 Day Post-General Report (sent via overnight mail to the address of record);

D) Reason-to-Believe Letter, dated April 8, 2019, referencing the 2018 Year-End Report (sent via overnight mail to the address of record).

4. I hereby certify that I have searched the Commission's public records and find that Americans Supporting Veterans PAC filed the 2018 30 Day Post-General Report with the Commission on December 23, 2018, and the 2018 Year-End Report with the Commission on March 29, 2019.

5. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that all relevant telecoms for the matter have been provided. This declaration was executed at Washington, D.C. on the 10th day of May, 2019.

Hen Holl for KDR

Kristin D. Roser
Chief, Compliance Branch
Reports Analysis Division
Federal Election Commission



RQ-7

February 19, 2019

SLY, MARK, TREASURER AMERICANS SUPPORTING VETERANS PAC 8100 FT SMALLWOOD RD BALTIMORE, MD 21226

IDENTIFICATION NUMBER: C00658757

REFERENCE: YEAR-END REPORT (11/27/2018 - 12/31/2018)

Dear Treasurer:

It has come to the attention of the Federal Election Commission that you may have failed to file the above referenced report of receipts and disbursements or failed to file a report covering the entire reporting period as required by the Federal Election Campaign Act, as amended 52 U.S.C. §30104(a)

It is important that you file this report immediately with the Federal Election Commission, 1050 First Street, NE, Washington, DC 20002. Please note that electronic filers must submit their reports electronically, as per 11 CFR §104.18. A copy of the report or relevant portions must also be filed with the Secretary of State or equivalent State officer unless the State is exempt from the federal requirement to receive and maintain paper copies. You can verify the Commission's receipt of any documents submitted by your committee on the FEC website at www.fec.gov.

The failure to timely file a complete report may result in civil money penalties, an audit or legal enforcement action. The civil money penalty calculation for late reports does not include a grace period and begins on the day following the due date for the report. Due to heightened security screening measures, delivery of mail by the US Postal Service may be delayed. The Commission recommends that you submit your report via overnight delivery or courier service.

If you have any questions regarding this matter, please contact Ben Holly in the Reports Analysis Division on our toll-free number (800)424-9530. The analyst's direct number is (202)694-1129.

AMERICANS SUPPORTING VETERANS PAC

Page 2 of 2

Sincerely,

Oebbie Chacena

Deborah Chacona Assistant Staff Director Reports Analysis Division

250

DECLARATION OF RHIANNON MAGRUDER

- 1) I am the Reviewing Officer in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Reviewing Officer, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
- 2) A committee not authorized by a candidate shall file a post-general report covering through the 20th day after the election no later than 30 days after the election.. Reports filed electronically must be received and validated at or before 11:59 pm, Eastern Standard/Daylight Time on December 6, 2018 for the 2018 Post-General Report to be timely filed.
- 3) A committee not authorized by a candidate shall file a report covering through December 31 no later than January 31 of the following calendar year. Reports filed electronically must be received and validated at or before 11:59 pm, Eastern Standard/Daylight Time on January 31, 2019 for the 2018 Year-End Report to be timely filed.
- 4) I hereby certify that I have searched the Commission's public records and that the documents identified herein are the true and accurate copies of:
 - a) Cover Page, Summary Page, and Detailed Summary Pages of the 2018 Post-General Report filed by Americans Supporting Veterans PAC and Mark Sly, in his official capacity as Treasurer, and received on December 23, 2018.
 - b) Cover Page, Summary Page, and Detailed Summary Pages of the 2018 Year-End Report filed by Americans Supporting Veterans PAC and Mark Sly, in his official capacity as Treasurer, and received on March 29, 2019.
- 5) Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Washington, D.C. on the 23rd day of May, 2019.

Rhiannon Magruder
Reviewing Officer

Office of Administrative Review

Federal Election Commission

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FEC FORM 3X

REPORT OF RECEIPTS AND DISBURSEMENTS

For Other Than An Authorized Committee

	For Other	inan An Aut	IONZEC	Commu			Office Us	e Only	
1. NAME OF COMMITTEE (in full)	TYPE OR I	PRINT V		ample: If typir or the lines.	ng, type	12FE	4M5	ë ë	
Americans Supporti	ng Veteran	s PAC	1.1.1						
				1.1.1	<u> </u>	111			
ADDRESS (number and street Check if different than previously	سنا ر	Smallwood Rod	<u> </u>				04000		<u></u>
reported. (ACC)	Baltimor	e 	ш		لب	MD	21226]-	
2. FEC IDENTIFICATION	NUMBER V	CIT	Y 🛦	·		STATE A		ZIP CO	DE A
C c00658757			S THIS IEPORT	6.44	NEW N) OR	the state of	AMENDED (A)		
4. TYPE OF REPORT (Choose One) (a) Quarterly Reports:	(b) Mor Rep Due	ort 등실 On: 공연	20 (M2) 20 (M3)	No. All Amenda	May 20 (M5 Jun 20 (M6)	ind Sing	Aug 20 (M8) Sep 20 (M9)	Standard Comments	Nov 20 (M11) (Non-Election Year Only) Dec 20 (M12) (Non-Election
		Apr	20 (M4)		Jul 20 (M7)	(Months)	Oct 20 (M10)	V Pritons Vegetaris	Year Only) Jan 31 (YE)
Quarterly Repo	rt (Q1) (c)	12-Day	1	Primary (12F	")	Ge	neral (12G)	the state of the s	Runoff (12R)
July 15 Quarterly Repo October 15 Quarterly Repo	rt (Q2)	PRE-Election Report for the:	To the state of th	Convention (12C)	Spe	ecial (128)		
Quarterly Repo		Electio	no ne	M M	00/		ş	in the State of	
July 31 Mid-Ye Report (Non-el Year Only) (MY	ar (d)	30-Day POST-Election Report for the:	×	General (300		17-19	noff (30R)		Special (30S)
Termination Re	port	Election	on on	11	06	2016		in the State or	, j
5. Covering Period	10 O1	D / Y Y Y Y 2018	Y V	through	11	/ D	D / Y Y 20	18	
I certify that I have examine Type or Print Name of Trea	Sly, Mar		my kno	owledge and	belief it is 1	rue, corre	ct and comple	te.	
Signature of Treasurer	Sly, Mark, , ,			[Electronical]	y Filedj	Date	M M / D	Distriction of	2018
NOTE: Submission of false, e	erroneous, or inc	omplete information	n may s	subject the per	son signing	this Repo	rt to the penalti	es of 52	U.S.C. § 30109
Office Use								FOR Rev. 05/2	

SHMMARY PAGE

		FEC Form 3X (Rev. 05/2016)	OF RECEIPTS AND DISBURSEMENTS	l Page 2
W	rite d	or Type Committee Name		
7	\me	ericans Supporting Veterans P	AC	
R	eport		M / B 6 / V Y Y Y Y TO TO	b: 11 26 2018
			COLUMN A This Period	COLUMN B Calendar Year-to-Date
6.	(a)	Cash on Hand January 1, 2018		19072.99
	(b)	Cash on Hand at Beginning of Reporting Period	19211.61	
	(c)	Total Receipts (from Line 19)	57239.00	228825.00
•	(d)	Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	76450.61	247897.99
7.	Tota	al Disbursements (from Line 31)	20933.81	192381.19
8.	Re	sh on Hand at Close of porting Period btract Line 7 from Line 6(d))	55516.80	55516.80
9.	the	bts and Obligations Owed TO Committee (Itemize all on nedule C and/or Schedule D)	oceaning come of the contraction	
10.	the	bts and Obligations Owed BY Committee (Itemize all on hedule C and/or Schedule D)		
Sample)	Seconds.	This committee has qualified as a multion	candidate committee. (see FEC FORM 1M)	
			For further information contact:	
			Federal Election Commission 999 E Street, NW Washington, DC 20463	
			Toll Free 800-424-9530 Local 202-694-1100	

DETAILED SUMMARY PAGE of Receipts

FEC Form 3X (Rev. 05/2016)

Page 3

Write or Type Committee Name Americans Supporting Veterans	s PAC	
	W W / 50 00 / V V V V V	M M / D B / Y Y Y Y
Report Covering the Period: From:	have attracted him to have a trace of the properties and properties and	The second secon
I. Receipts	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
11. Contributions (other than loans) From:		
(a) Individuals/Persons Other		
Than Political Committees	0.00	1100.00
(i) Itemized (use Schedule A)		de san de condition d'anne disse disse administration de condition de la condition de condition de condition d Secretaries de la condition de
(ii) Unitemized	57239.00	227725.00
(iii) TOTAL (add	The continues of a continue of the continues of the conti	kan ada arabikan dikin sebua sa kasadi kan dika ada arabikan dikin dikin dikin dikin dikin dikin dikin dikin d Jama jaman jaman jama jama jama jama jama
Lines 11(a)(i) and (ii)	57239.00	228825.00
	Angeleichte gesehlte und des gesehlte mit der seine der eine der eine der der der der der der der der der de	der der der versichte der der der der der der der der der de
(b) Political Party Committees	0.00	0.00
(c) Other Political Committees	Americal mentilepolitical describing and provide construction and the construction of the construction of	de en a frant allementale mante man hanna fanna i fan meiline en fan en allem an fan en allem an fan en allem
(such as PACs)	0.00 }	0.00
(d) Total Contributions (add Lines		
11(a)(iii), (b), and (c)) (Carry	der in the second of the secon	00000
Totals to Line 33, page 5)	• 57239.00 f	228825.00
12. Transfers From Affiliated/Other	der melle predkringskringskringskrings mel somelemmelm, miljoner skring i greg og skri	harming a character frame of the control of the con
Party Committees	0.00 j	0.00 Teamitean alice a Missendonia Arraid Arraid ann de an Alice a Aire ann ann an Aire an Aire an Aire an Aire an
	the confirmation would associate and formal management of a manifest and an article and the confirmation and	0.00
13. All Loans Received		O.000 Name of the continue of
	destructions address of meaniform of the continues of the	the state of the s
14. Loan Repayments Received		0.00
15. Offsets To Operating Expenditures	to be the second section of the second section in the second section is the second section of the second section secti	
(Refunds, Rebates, etc.)	german i mangamangan magamangan mga mangan mga mangan mg	And the state of t
(Carry Totals to Line 37, page 5)	0.00	0.00
16. Refunds of Contributions Made		
to Federal Candidates and Other	destricted in residence and recombinate the second supersystem of the second se	g menuganangkanangkanangkanangkanangkanangkanangkanangkanangkanangkanangkanangkanangkanangkanangkanangkanangka Samungkanangkanangkanangkanangkanangkanangkanangkanangkanangkanangkanangkanangkanangkanangkanangkanangkanangka
Political Committees	0.00 j	0.00 Considerant C
17. Other Federal Receipts	de se contrata de considera en estada de contrata de como estado en estado e	garante constituent de combiner et de constituent d
(Dividends, Interest, etc.)	and the state of t	0.00 mile particular and the control of the control
18. Transfers from Non-Federal and Levin	rungs	
(a) Non-Federal Account (from Schedule H3)	0.00	0.00
(Irom Schedule 113)	a contain conservition in particular and contains and con	harveelkaan oli oo ah barreeli aareelin oo Mitarii 11, oo ah oo ah barreeli oo a
	0.00	0.00
(b) Levin Funds (from Schedule H5)		San
		And the second and the second
(c) Total Transfers (add 18(a) and 18(b))))	0.00 The same of the same of t
19. Total Receipts (add Lines 11(d),	Hermodynamick stated in production of temporal and a form of temporal and the second	Assemble embermatic material for other experience for our section of the contract of the contr
12, 13, 14, 15, 16, 17, and 18(c))	> 57239.00	228825.00
On Total Endovel Dessists		
20. Total Federal Receipts	57239.00	228825.00
(subtract Line 18(c) from Line 19)	.P	220023.00

DETAILED SUMMARY PAGE

of Disbursements

FEC Form 3X (Rev. 05/2016)

Page 4

II. Disbursements	COLUMN A	COLUMN B
. Operating Expenditures:	Total This Period	Calendar Year-to-Date
(a) Allocated Federal/Non-Federal		
Activity (from Schedule H4)	0.00	0.00
(i) Federal Share	han to a straight a straight and a sold or the sold of	And the second s
	to an alternative mode in a discourance of the mode in the contract of the contract of)
(ii) Non-Federal Share	0.00 f	
(b) Other Federal Operating	landitional is called a classes it make the above it would be a little and an all the anti-case. I grant grant grant and a complete configuration of the above it is a supplied to the anti-case.	kanasi kanadan di kanada sa kanada sa kanada sa dibanada sa kanada sa kanada sa kanada sa kanada sa kanada sa Sa kanada sa kanada s
Expenditures	20933.81	192381.19
(c) Total Operating Expenditures	Executive control of a desired to extreme the control of a control of the control	. The state of the
(add 21(a)(i), (a)(ii), and (b))	20933.81	192381.19
. Transfers to Affiliated/Other Party	ka <u>a alkaanillaa jilletaaateessateesteellet</u> eessätein ja kanta ja ja kanta kanta kanta kanta kanta kanta salla ja ja j	The section of the se
Committees	0.00	0.00
. Contributions to	han dhan dhe a dheachtan chean dhèire dhe a dheachtan dheachtan dhe sa dheachtan dhe sa dheachtan dhe sa dheachtan dheachtan dhe sa dheachtan dhea	I man de proche med franche med med the college and a set for all the college and a set for a set of the college and a se
Federal Candidates/Committees and Other Political Committees	0.00	9.00
Independent Expenditures	Programme and the conflict contracts and the conflict conflict of the conflict	 I know de considerant de la considerant del considerant de la considerant de la considerant de la considerant de la considerant del considerant de la considerant
(use Schedule E)	0.00	0.00
(use Schedule E)	The second second distriction is a district to the second	The agent and the cold through the cold the product of the cold to a cold the cold through
(52 U.S.C. § 30116(d)) (use Schedule F)	0.00	1
1-00 -00100 Million 1 /	and the state of t	0.00 Translavendin mill stansferer bosekt translavende er blivende
Loop Resource Made	9	grandyndrig the affinishmedyn i a god af harrydd ar ar a B
Loan Repayments Made	0.00	0.00
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Loans Made	0.00	0.00
(a) Individuals/Persons Other	de en en et hann a flan en fliffe en en flansse flan en fliffen en flan en en fliffen en flan en flan en en f La en en en flan en flan en en flan en	der som i der som greger i statistiske gregels som som greger i statistiske med som som for som en som grante som statistiske greger i greger i statistiske fra statistiske for som grede en grede en greger i statist
Than Political Committees	0.00	0.00
	The control of the co	kan makan makan di kan makan makan di makan di makan mak Makan makan ma
(b) Political Party Committees	0.00	0.00
(c) Other Political Committees	in a caracteristica de constituiro estra constituiro de la caracteristica de la caracteristic	handlundundlikerikkerikkerikkerikkerikkerikkerikerik
(such as PACs)	0.00	0.00
(d) Total Contribution Refunds	manterioritaria de esta april a colo esta esta esta esta esta esta esta esta	hamailinearitheadtheadtheadt muitarathineathir adhainithe ach
	derive all committees with more observables to be to relieve and some allowing more more	desire and report they may be impaired by a collaminate or construction and recommendation and a second
(add Lines 28(a), (b), and (c))	• • • • • • • • • • • • • • • • • • •	0.00
	er i territoria metromosti dell'Alexa memblio della periodi enclara comprendenti a consistenti della della com	A commence of simulation when the simulation is a second property of the simulation
. Other Disbursements (Including	Emmedian American State of a factor and a conference of the conference of the conference of the conference of	the section of the se
Non-Federal Donations)	0,00	0.00
		er yn i ard fyddiaethiol y 19 o ffio a ffiliaeth ganlly familyn y fyr y geffer yn y flyr ar y 19 o ar y 19 o a Taellan a fel fyr a fel faei a fe
Federal Election Activity (52 U.S.C. § 3010	71(20))	
(a) Allocated Federal Election Activity		
(from Schedule H6)	To restrict the restrict of a solution of a solution of the so	Energy Energy Company of the property of the second second second second second second second second second se
(i) Federal Share	0.00	0.00
	kan melang di membengan di memberan di kanada pengan pengan di sebagai di sebagai di sebagai di sebagai di seb Sebagai pengan peng	The contribution of the collision through the contribution of the collision of the collisio
(ii) "Levin" Share	0.00	0.00
(b) Federal Election Activity Paid	The continues and the continues of the c	hang a Parang Bargat Bita ay atong a Bargat Birang dan sa atong a dalah a sa a gaga maggat maggat ang agamat agamat agamat nagan sa agamat agamat agamat agamat ang atong at ang atong a sa a
Entirely With Federal Funds	0.00	0.00
(c) Total Federal Election Activity (add	h en althou anthre aidhliún a tha ann tha an tha an tha an tha aithreacht thouadh sa a th	hamallaneetheentilleleesterresterrett kansk mei terrestilier et
Lines 30(a)(i), 30(a)(ii) and 30(b))	0.00	A OO
בווופס סטנפאנט, סטנפאנוון פווע סטנט)ן	O.00	0.00
_		
. Total Disbursements (add Lines 21(c), 22,	Best and the first of the formal date of the second date of the second date of the second date of the second d	Festiva stratus de menselmentele variables e altre sera le combre constituenza
23, 24, 25, 26, 27, 28(d), 29 and 30(c))	20933.81	192381.19
	Committee of the section of the section of the section of the section of	the state of the s
. Total Federal Disbursements		
(subtract Line 21(a)(ii) and Line 30(a)(ii)	and the state of t	gara a garana garan a agamangan magamangan ang managan magaman ang managan m
from Line 31)	20933.81	
	20930.01	192381.19

DETAILED SUMMARY PAGE

i	of Disbursements FEC Form 3X (Rev. 05/2016)		Page 5
	III. Net Contributions/ Operating Expenditures	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
	Total Contributions (other than loans) (from Line 11(d), page 3) Total Contribution Refunds	57239.00	228825.00
35.	(from Line 28(d))	0.00 57239.00	0.00 228825.00
36.	Total Federal Operating Expenditures (add Line 21(a)(i) and Line 21(b))▶	20933.81	the state of the s
38.	Offsets to Operating Expenditures (from Line 15, page 3) Net Operating Expenditures (subtract Line 37 from Line 36)	5 000 5	0.00 192381.19

PAGE 1 / 10

FEC FORM 3X

REPORT OF RECEIPTS AND DISBURSEMENTS

For Other Than An Authorized Committee

· ·	For Other Thai	1 An Authorized	1 Committee	Office	Use Only
1. NAME OF COMMITTEE (in full)	TYPE OR PRINT		imple: If typing, type or the lines.	12FE4M5	G
Americans Supportin	g Veterans PA	C		1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1	لىسىن
			111111		لتبيين
ADDRESS (number and street)	8100 Ft Smallw	ood Rod			
▼ Check if different than previously				 	
than previously reported. (ACC)	Baltimore			MD 212	26
2. FEC IDENTIFICATION	NUMBER ▼	CITY ▲		STATE A	ZIP CODE A
C C00658757	4	3. IS THIS REPORT	NEW (N) O	R (A)	D
4. TYPE OF REPORT (Choose One)	(b) Monthly Report Due On:	Feb 20 (M2	hand Senta	Aged Vento	Year Only)
(a) Quarterly Reports:			T		(Non-Election Year Only)
April 15 Quarterly Report	(Q1)	Apr 20 (M4)	Jul 20 (M	34.5	<u> </u>
July 15 Quarterly Report	(Q2) (C) 12-D	.Election	Primary (12P)	General (12G)	Runoff (12R)
October 15 Quarterly Report	Repo	ort for the:	Convention (12C)	Special (12S)	
January 31 Year-End Report		Election on	M M / D D	1 14 2.4 A. 14 A. 1	in the State of
July 31 Mid-Year Report (Non-elec Year Only) (MY)	tion POS	ay T-Election	General (30G)	Runoff (30R)	Special (30S)
Termination Repo		Election on	W W W O O		In the State of
5. Covering Period	11 27	2018	through 312	31	Y Y Y 2018
I certify that I have examined	Sly, Mark, , ,	the best of my know	owledge and belief it i	s true, correct and comp	olete.
Type or Print Name of Treasu	irer				· · · · · · · · · · · · · · · · · · ·
Signature of Treasurer	y, Mark, , ,		[Electronically Filed]	Date 01	01 2019
NOTE: Submission of false, en	oneous, or incomple	te information may s	subject the person signi	ng this Report to the pen	alties of 52 U.S.C. § 30109
Office Use				FE	EC FORM 3X Rev. 05/2016

FEC Form 3X (Rev. 05/2016)	SUMMARY PAGE OF RECEIPTS AND DISBURSEMENTS	Page 2
Write or Type Committee Name		
Americans Supporting Veterans F	PAC	
1	11 27 2018 To	o: 12 31 2018
	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. (a) Cash on Hand January 1, 2018		19072.99
(b) Cash on Hand at Beginning of Reporting Period	\$55516.80	
(c) Total Receipts (from Line 19)	52607.00	281432.00
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	108123.80	300504.99
7. Total Disbursements (from Line 31)	67002.00	259383.19
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	41121.80	41121.80
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)		
Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)	0.00	
This committee has qualified as a multi	icandidate committee. (see FEC FORM 1M)	
	For further information contact:	
	Federal Election Commission 999 E Street, NW Washington, DC 20463	
	Toll Free 800-424-9530	

DETAILED SUMMARY PAGE of Receipts FEC Form 3X (Rev. 05/2016) Page 3 Write or Type Committee Name Americans Supporting Veterans PAC A D V D 27 2018 11 12 2018 Report Covering the Period: From: To: **COLUMN A COLUMN B** I. Receipts **Total This Period** Calendar Year-to-Date 11. Contributions (other than loans) From: (a) Individuals/Persons Other Than Political Committees (i) Itemized (use Schedule A)..... 280232.00 52507,00 (ii) Unitermized (iii) TOTAL (add 281432.00 52607.00 Lines 11(a)(i) and (ii)..... 0.00 (b) Political Party Committees (c) Other Political Committees 0.00 0.00 (such as PACs)..... Total Contributions (add Lines 11(a)(iii), (b), and (c)) (Carry Totals to Line 33, page 5) 12. Transfers From Affiliated/Other 0.00 0.00 Party Committees..... 0.00 0.00 13. All Loans Received 0.00 0.00 14. Loan Repayments Received..... 15. Offsets To Operating Expenditures (Datumde Dahetae etc.)

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12, 13, 14, 15, 16, 17, and 18(c)).......

(b) Levin Funds (from Schedule H5)

(c) Total Transfers (add 18(a) and 18(b))..

20. Total Federal Receipts
(subtract Line 18(c) from Line 19)........

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52607.00 :	281432.0
er de servicio es al Constituir de la companya de	The continues of the co

DETAILED SUMMARY PAGE

of Disbursements

FEC Form 3X (Rev. 05/2016)

Page 4

		II. Disbursements	COLUMN A	COLUMN B
1	Oner	ating Expenditures:	Total This Period	Calendar Year-to-Date
١,	(a)	Allocated Federal/Non-Federal		
	()	Activity (from Schedule H4)	Established and a factor of the section of the sect	- Bergin benevite an elemente prochesion describer and establishment for environment
		(i) Federal Share	0.00	0.00
		(7	han allanga kan alkan alkan ang kanalika na banda kan ang kan alkan alkan alkan alkan ang kanalika na banda an San ang kan ang kanalika ang kan	Francisco de Santa Marcaller en Arres Marcaller en Arres de Santa de Santa de Santa de Santa de Santa de Santa La companya de Santa
		(ii) Non-Federal Share	0.00	0.00
		Other Federal Operating	han marita a sala sarihka marita marika matiki a sha mada malikha mka mari manan ya mariya mariya magan maga	The second translation of the control of the contro
		, -	67002.00	259383.19
		Expenditures	I na a dha an bha a d'Aireadh a an dha a dh' a an dha a dh' a an dha an dh'	- I wan the anti-free old transitive professional free short strained the makes
		Total Operating Expenditures	territori di mangrati i mangrapi antigi a mangrapi antigi antigi antigi antigi antigi antigi antigi antigi anti	and the control of th
		(add 21(a)(i), (a)(ii), and (b))▶	67002.00	259383.19
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		Other Political Committees	0.00	3 0.00
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••		Schedule E)	0.00	0.00
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	(52	U.S.C. § 30116(d)) Schedule F)	0.00	j
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		(add Lines 28(a), (b), and (c))	0.00	0.00
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9.	Othe	er Disbursements (Including	hangan diging and district and an antiferior and district and district and district and an analysis of south	
-		-Federal Donations)	0.00	0.00
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n.	Fede	eral Election Activity (52 U.S.C. § 30101	(20))	
-		Allocated Federal Election Activity		
	(4)	(from Schedule H6)		
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		(i) Federal Share	0.00	0.00
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		(ii) "Levin" Share	0.00	0.00
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		Entirely With Federal Funds	0.00	0.00
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	23,	24, 25, 26, 27, 28(d), 29 and 30(c))	67002.00	259383.19
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		I Cadaval Diabanaanaata		
	Tota	l Federal Disbursements		
	(sub	rederal dispursements Itract Line 21(a)(ii) and Line 30(a)(ii) Line 31)	# 67002.00	259383.19

DETAILED SUMMARY PAGE

of Disbursements

FEC Form 3X (Rev. 05/2016) III. Net Contributions/ Operating Expenditures		or biobulgoments	Page 5	
		COLUMN A Total This Period	COLUMN B Calendar Year-to-Date	
	Total Contributions (other than loans) (from Line 11(d), page 3)	52607.00 52607.00	281432.00	
	Total Contribution Refunds (from Line 28(d))	0.00	0.00	
3 5.	Net Contributions (other than loans) (subtract Line 34 from Line 33)	52607.00	281432.00	
36.	Total Federal Operating Expenditures (add Line 21(a)(i) and Line 21(b))▶	67002.00	259383.19 259383.19	
37.	Offsets to Operating Expenditures (from Line 15, page 3)		0.00	
38.	Net Operating Expenditures (subtract Line 37 from Line 36)	handing hand hand hand hand hand hand hand hand	in the second condition that the second condition is a second condition of the	

May 23, 2019

Mark Sly, in official capacity as Treasurer Americans Supporting Veterans PAC 8100 Ft. Smallwood Road Baltimore, MD 21226

C00658757

AF#: 3624 and 3665

Dear Mr. Sly:

On March 21, 2019, the Federal Election Commission ("Commission") found reason to believe ("RTB") that Americans Supporting Veterans PAC and you, in your official capacity as Treasurer ("respondents"), violated 52 U.S.C. § 30104(a) for failing to timely file the 2018 Post-General Report. The Commission also made a preliminary determination that the civil money penalty was \$3,063 based on the schedule of penalties at 11 C.F.R. § 111.43.

On April 5, 2019, the Federal Election Commission ("Commission") found reason to believe ("RTB") that Americans Supporting Veterans PAC and you, in your official capacity as Treasurer ("respondents"), violated 52 U.S.C. § 30104(a) for failing to timely file the 2018 Year-End Report. The Commission also made a preliminary determination that the civil money penalty was \$6,541 based on the schedule of penalties at 11 C.F.R. § 111.43.

After reviewing your written response and any supplemental information submitted by you and Commission staff, the Reviewing Officer has recommended that the Commission make a final determination and assess a civil money penalty in both AF# 3624 and AF# 3665. A copy of the Reviewing Officer's recommendation is attached.

You may file with the Commission Secretary a written response to the recommendation within 10 days of the date of this letter. Your written response should be sent to the Commission Secretary, 1050 First Street, NE, Washington, DC 20463 or via facsimile (202-208-3333). Please include the AF # in your response. Your response may not raise any arguments not raised in your original written response or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). The Commission will then make a final determination in this matter.

Please contact me at the toll free number 800-424-9530 (press 0, then press 1660) or 202-694-1158 if you have any questions.

Sincerely,

Rhiannon Magruder
Rhiannon Magruder

Reviewing Officer

Office of Administrative Review



July 2, 2019

Office of Administrative Review Feral Election Commission 1050 First Street, NE Washington, DC 20463

RE: Americans Supporting Veterans Notice3 C00658757 - AF#: 3624 and AF#3665

Rhiannon Magruder,

I am following up regarding our request an abatement of penalties that we have paid and plead our case and fees associated with Notice C00658757-AF#:364 (\$3,063) and AF#:3665 (\$6,541), as assessed in the notice sent to us on April 8, 2019 and your response sent to Mark Sly on May 23, 2019.

My team has been very focused on building a PAC that will provide value to veterans across our country; as a disabled veteran myself, this cause is very important to me. Since our inception, we have been making every effort to perform for the donors of the PAC, the recipients, political candidates and operate and file as the law required. We understand that we made a mistake in our filing process in our first year and your organization did everything they needed to do communicate with us and by providing opportunities to work with you.

However, we are further asking that you reconsider based on some information you may not have been aware of. There have been some extenuating circumstances, with regards to communication and operational challenges that have added to the predicament we find our PAC in. A very challenging example has been that for long while, we weren't getting your emails because they were being funneled into our spam folders through a paid Outlook 360 service. In fact we didn't even know there were issues with our status with the FEC until we received the hard copy that was mailed to us. This simple technical issue has come to a head and we recently rectified it; further more we will always be actively and aggressively avoiding a repeat of this in the future.

Operationally speaking, we needed to better understand the filing requirements and as a start up organization, we weren't fully aware of the intricacies of filing and staying compliant. As mentioned in our previous letter, we are now working with an attorney that is experienced with these matters and is keeping us up to speed.

8100 Ft. Smallwood Road
Baltimore MD 21226
www.americansupportingvets.org



Americans Supporting Veterans PAC Honoring Our Veterans through Action

In closing, I have to say, what is most disheartening is that while we had the best intentions to do our jobs effectively, it is an issue with technology and our lack of experience that has cost veterans and those fighting for veterans almost \$9,604 in monies that could have gone to a good cause.

For all of these reasons and more, I'm humbly asking you to reconsider these penalties that we have paid and that you would waive said penalties and return the \$9,604 or a lesser amount that you feel is appropriate. My team has learned from this experience, we are working with a 3rd party vendor to provide objective support, we have improved our technology and my team is better prepared. We sincerely thank you for your time, flexibility to hear our response to your letter, and considering waiving the assessed fees.

Sincerely,

Alexander Fakeri

Americans Supporting Veterans PAC

ARF:arf
American Supporting Veterans Abatement Letter follow up
Sent to Office of Administrative Review
CC: Federal Election Commission



SENSITIVE

July 9, 2019

MEMORANDUM

To:

The Commission

Through:

Alec Palmer

Staff Director

From:

Patricia C. Orrock DC for PCO

Chief Compliance Officer

Rhiannon Magruder *Pm*Reviewing Officer

Office of Administrative Review

Subject:

Final Determination Recommendation in AF# 3624 and AF# 3665 - Americans

Supporting Veterans PAC and Mark Sly, in his official capacity as Treasurer

(C00658757)

On March 21, 2019, the Commission found reason to believe ("RTB") that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2018 Post-General Report and made a preliminary determination that the civil money penalty was \$3,063 based on the schedule of penalties at 11 C.F.R. § 111.43. On April 5, 2019, the Commission found reason to believe ("RTB") that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file the 2018 Year-End Report and made a preliminary determination that the civil money penalty was \$6,541 based on the schedule of penalties at 11 C.F.R. § 111.43.

On April 29, 2019, the Commission received their written response ("challenge"). After reviewing the challenge, the Reviewing Officer Recommendation ("ROR") dated May 23, 2019 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference. The Reviewing Officer recommended that the Commission make a final determination in AF# 3624 and AF# 3665.

Within 10 days of transmittal of the recommendation, the respondents may file a written response with the Commission Secretary which may not raise any arguments not raised in their challenge or not directly responsive to the ROR. 11 C.F.R. § 111.36(f). On July 2, 2019, the respondents submitted a response requesting that the Commission reconsider the penalties.

The respondents state that the Committee has made every effort to comply and acknowledge their inexperience. The respondents further explain that they did not receive Commission emails because they were automatically filtered into spam folders. The Committee has since resolved this issue. In addition, the Committee is now working with an experienced

attorney and third-party vendor to help with filings and compliance. The Committee has learned from this experience and is now better prepared.

As stated in the ROR, failure to know filing dates and inexperience of a Treasurer or committee staff are included at 11 C.F.R. § 111.35(d) as examples of a circumstance that will not be considered reasonably unforeseen and beyond the respondents' control. Therefore, the Reviewing Officer recommends that the Commission make a final determination in AF# 3624 and AF# 3665 that the respondents violated 52 U.S.C. § 30104(a) and assess civil money penalties of \$3,063 in AF# 3624 and \$6,541 in AF# 3665.

OAR Recommendations

- 1. Adopt the Reviewing Officer recommendation for AF# 3624 involving Americans Supporting Veterans PAC and Mark Sly, in his official capacity as Treasurer, in making the final determination;
- 2. Make a final determination in AF# 3624 that Americans Supporting Veterans PAC and Mark Sly, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$3,063 civil money penalty;
- 3. Adopt the Reviewing Officer recommendation for AF# 3665 involving Americans Supporting Veterans PAC and Mark Sly, in his official capacity as Treasurer, in making the final determination;
- 4. Make a final determination in AF# 3665 that Americans Supporting Veterans PAC and Mark Sly, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$6,541 civil money penalty; and
- 5. Send the appropriate letter.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	,
•)	AFs 3624 and 3665
Final Determination Recommendation:)	
Americans Supporting Veterans PAC,)	
and Mark Sly, in his official capacity as)	
Treasurer (C00658757)	ĺ	

CERTIFICATION

I, Laura E. Sinram, Acting Secretary and Clerk of the Federal Election Commission, do hereby certify that on August 05, 2019, the Commission decided by a vote of 4-0 to take the following actions in AFs 3624 and 3665:

- 1. Adopt the Reviewing Officer recommendation for AF# 3624 involving Americans Supporting Veterans PAC and Mark Sly, in his official capacity as Treasurer, in making the final determination.
- 2. Make a final determination in AF# 3624 that Americans Supporting Veterans PAC and Mark Sly, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$3,063 civil money penalty.
- 3. Adopt the Reviewing Officer recommendation for AF# 3665 involving Americans Supporting Veterans PAC and Mark Sly, in his official capacity as Treasurer, in making the final determination.
- 4. Make a final determination in AF# 3665 that Americans Supporting Veterans PAC and Mark Sly, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$6,541 civil money penalty.
- 5. Send the appropriate letter.

13009274242287

Federal Election Commission AF# 3624 and AF# 3665 August 05, 2019

Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

8/5/19

Date

TODOWNANDOO ...

Attest:

Laura E. Sinram

Acting Secretary and Clerk of the

Commission

August 6, 2019

Mark Sly, in official capacity as Treasurer Americans Supporting Veterans PAC 8100 Ft. Smallwood Road Baltimore, MD 21226

C00658757 AF#: 3665

Dear Mr. Sly:

On March 21, 2019, the Federal Election Commission ("Commission") found reason to believe ("RTB") that Americans Supporting Veterans PAC and you, in your official capacity as Treasurer ("respondents"), violated 52 U.S.C. § 30104(a) for failing to timely file the 2018 Year-End Report. By letter dated March 21, 2019, the Commission sent notification of the RTB finding that included a civil money penalty calculated at RTB of \$6,541 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On April 29, 2019, the Office of Administrative Review received your written response challenging the RTB finding.

The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation and your written response. Based on this review, the Reviewing Officer recommended that the Commission make a final determination that Americans Supporting Veterans PAC and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a), and assess a civil money penalty in the amount of \$6,541 in accordance with 11 C.F.R. § 111.43. The Reviewing Officer Recommendation was sent to you on May 23, 2019.

On August 5, 2019, the Commission adopted the Reviewing Officer's recommendation and made a final determination that Americans Supporting Veterans PAC and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a), and assessed a civil money penalty in the amount of \$6,541. A copy of the Final Determination Recommendation is attached.

On May 21, 2019, the Commission received your payment of \$6,541.

The confidentiality provisions at 52 U.S.C. § 30109(a)(12) no longer apply and this matter is now public. Pursuant to 11 C.F.R. §§ 111.42(b) and 111.20(c), the file will be placed on the public record within 30 days from the date of this notification.

If you have any questions regarding the payment of the civil money penalty, please contact Rhiannon Magruder on our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,

Ellen L. Weintraul

Ellen L. Weintraub

Chair

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 3645